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Indian antiquities under threat: Are we aware of the implications?

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Neeraj Kumar, the former Delhi police chief, in his book 'Dial D for Dons: Inside Stories of CBI Case Missions', narrates how a part of the ransom raised from the kidnapping of Partha Pratim Roy Burman, chairman-cum-managing director of Khadim Shoes, in 2001 financed the chief 9/11 attacker Mohammad Atta. Aftab Ansari, Kumar says in his book, who had kidnapped Burman, transferred around \$100,000 from the ransom to Omar Sheikh, who in turn transferred it to Mohammad Atta. Sheikh incidentally was released from prison as exchange for passengers held hostage after the hijacking of Indian Airlines plane to Kandahar in 1999. He has since been sentenced to death in Pakistan for the murder of The Wall Street Journal journalist Daniel Pearl. Ansari has also been sentenced to death for his role in the 2002 attack on the US cultural centre in Kolkata. Both await the execution of their punishments.

The web of funds generated from crime have become so intrinsic to terrorism that it would be foolhardy to wave away the relationship as delusional rants of conspiracy theorists. In a world which is shrinking and where people continue to shrink further, terrorists are tapping into organised crime syndicates for terror recruits and money laundering. So, what superficially might appear to be a petty car stealing gang, could be supplier of stolen vehicles for a suicide bombing mission. One needs to look no further than the Inter-Services Intelligence agency (ISI) utilising Dawood Ibrahim for the 1993 Mumbai blasts. ISI facilitated training, finances, arms & ammunitions and explosives, whereas Dawood lent the strike force. Funds generated from supply of drugs, kidnapping, extortion and gun running have generally been considered as the interlocutor between criminal gangs and terrorist groups. Unscrupulous terrorists have used finances generated from things they publicly despise, to assault the very civilisation which produces them.

The United Nations was quick to realise that in addition to the funds generated through the gas fields of Mosul, bank robberies, human trafficking and ransom, trafficking of art and antiquities was also being used by the Islamic State (IS) to finance terror activities. The IS had made a grand show for its followers by demolishing monuments after wresting control of the areas

nestling cradles of ancient civilisations-Palmyra, Aleppo, Mosul and Raqqa in Syria and Iraq. Therefore, whilst IS publicly destroyed Saint Elijah's Monastery in Mosul and Roman era monuments in Palmyra, ostensibly as an obligation to religious tenets, they had no qualms in surreptitiously pilfering the heritage and art items into the international antiquity market to fund itself.

The UN acknowledged the criminality indulged in by IS through UNSC Resolution 2199 (2015), as it generated "income from engaging directly or indirectly in the looting and smuggling of cultural heritage items from archaeological sites, museums, libraries, archives, and other sites in Iraq and Syria, which is being used to support their recruitment efforts and strengthen their operational capability to organize and carry out terrorist attacks". The resolution further requested member states "to take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed", from Iraq and Syria.

Subsequent to UNSC resolution 2199, the Federal Bureau of Investigation (FBI) issued an advisory stating, "Purchasing an object looted and/ or sold by the Islamic State may provide financial support to a terrorist organization and could be prosecuted under 18 USC 233 A."

The advisory was evidently in light of the fact that the US which is the world's largest single market for arts and antiquities-accounting for 29.5% of the global total-remains a highly unregulated open market for these products. Unregulated markets make such transactions susceptible to crimes such as trafficking, money laundering, and terrorist financing. The US Congress was, therefore, compelled to pass 'HR-2285: Prevent Trafficking in Cultural Property Act' to stop implicit funding of attacks on its own forces in Iraq and Syria.

The Antiquities Coalition in its infographic indicates, "In 2016 alone, \$146,960,100 worth came into the United States, just in declared imports of arts, collectors pieces, and antiques from the world's ten nations with the most terrorist activity. All of these countries have a rich cultural heritage, which is under threat from looting and trafficking, and all also have ties to violent extremist organizations, many of which are already known to fund themselves through cultural racketeering."

While the US has imposed restrictions on antiquities from Iraq, Egypt and Syria, the lack of regulation with other terrorist-affected states implies that antiquities could continue to flow into the markets unhindered. The data compiled by Antiquities

Coalition suggests that India, which is among the ten terrorism infested nations as per Global Terrorism Index 2016, accounts for imports of antiquities to the tune of \$79,092,426-more than 50% of the total imports into the US.

Interestingly, Subhash Kapoor, India's most notorious antique smuggler, ran a posh gallery in Manhattan in New York before being extradited to India from Germany in 2012.

Kapoor ran operations around the world, befooling even authentic galleries like the National Gallery of Australia by creating forged documents for stolen items from India making them appear genuine even to the trained eyes. In 2014, then Australian prime minister Tony Abbott returned a 900-year-old Shiva (Nataraja) sculpture allegedly smuggled by Kapoor and sold to NGA for \$5million, during Prime Minister Narendra Modi's visit to Australia. In October 2015, German Chancellor Angela Merkel returned a 10th-century Durga idol stolen from Kashmir and allegedly smuggled out by Kapoor.

Incidentally, it is only the robust personal foreign policy initiatives of Modi bearing fruits with countries coming forward to return stolen India heritage. Institutional Indian initiative for recovery of stolen antiquities has otherwise been lacklustre.

And what makes India vulnerable to these antique predators?

The Comptroller and Auditor General (CAG) in a scathing indictment in 2013 ripped apart the apathy displayed by Archaeological Survey of India (ASI). CAG said ASI "did not maintain a reliable database of the exact number of protected monuments under its jurisdiction".

"The ASI," continued CAG, "as the custodian of antiquities, did not even maintain a database of total number of antiquities in its possession." The CAG castigated ASI's "efforts to retrieve stolen items as completely ineffective".

The issues red flagged by CAG indicate a scary state of affairs surrounding the protection of Indian heritage. An archaic Indian Antiquities Act 1972 exacerbates the crisis confronting the period pieces. The inefficacy of the Act is evident from the fact that it lacks even the provisions of registration of antiquity items, which is fundamental to cataloguing and thereby protecting them. The Act does not prescribe for an enforcement division or even methodology to protect antiquity from rapacious treasure hunters. Lack of legal framework prohibits ASI from engaging with foreign agencies delegated for antiquity protection as per

their laws. For instance, ASI does not have the force of law to interact with the homeland security in the US, which has specific powers mandated by law for antiquity protection.

An apathetic ASI and lack of adequate laws are, however, only part of the narrative which confronts India's struggle to retain its heritage from falling prey to the malfeasance of treasure hunters. Common people are unaware of the repercussions of the steady deprivation of their own heritage. Stealing antiquities is akin to a double whammy for a country which has been a victim of terrorism for the past four decades. Firstly, loss of heritage is a gradual process of delinking from the history, both cultural and physical, of an ancient civilisation. Bereft of ancient sculpture and architecture which reached its pinnacle long before the modern world did, the youth will grow up in a vacuum oblivious to a glorious past which in turn is a motivation to move forward. Secondly, and ironically, the criminal syndicate working in tandem with terror networks are allowed to finance themselves by selling the looted antiquities to wreak havoc in the country.

Though there might be no direct evidence linking terrorism to stolen heritage items and antiquities in India, to deny the fact that the massive amounts involved in the illicit trade of art and artefacts, which as per Global Financial Integrity is worth Rs 40,000 crore per year, would go unnoticed by terror networks is akin to pretending like the ostrich burying its head in the sand. The implications of this loot on security are grave and can be ignored at India's peril. The UNSC resolution 2199 is an explicit acknowledgment of the spreading tentacles of terrorism towards depriving the world of its heritage and utilising it as a financial tool.

Stealing antiquities is perhaps the easiest way for terror organisations to raise funds in India. Unprotected heritage sites, lackadaisical policing, public apathy and terror cells with their avowed proclamation to disintegrate India, combine to make a deadly cocktail. The cocktail becomes fatal when a petty thief or drug addict can walk into an unguarded temple/heritage site and coolly lift a Nataraja idol which could end up being sold in international market at \$5 million with the money going into the coffers of some Lashkar-e-Taiba (LeT). Like a black comedy, if you don't take care of your Gods, the Gods might return the compliments.

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